

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

|                           |   |            |
|---------------------------|---|------------|
| UNITED STATES OF AMERICA, | ) |            |
|                           | ) |            |
| Plaintiff,                | ) | 8:03CR555  |
|                           | ) |            |
| v.                        | ) |            |
|                           | ) |            |
| JAMES L. ANDERSON,        | ) | MEMORANDUM |
|                           | ) | AND ORDER  |
| Defendant.                | ) |            |
| _____                     | ) |            |

James L. Anderson has filed a “Motion for Modification of Sentence Pursuant to § 3553(a).” (Filing no. 73.) Generally speaking, I have no power to modify a prison sentence that has long since become final.<sup>1</sup> Moreover, and as the Court of Appeals recognized in denying Mr. Anderson’s direct appeal (filing no. 70), since I imposed the prison sentence pursuant to a Rule 11(c)(1)(C) plea agreement, Mr. Anderson received the sentence he requested. While I compliment Mr. Anderson for working hard in prison to better himself, I have no power to do what he asks. Therefore,

IT IS ORDERED that the Motion for Modification of Sentence Pursuant to § 3553(a) (filing no. 73) is denied. The Clerk shall mail a copy of this document to Mr. Anderson.

DATED this 3<sup>rd</sup> day of April, 2012.

BY THE COURT:

*Richard G. Kopf*  
Senior United States District Judge

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<sup>1</sup>The deadline for filing a motion pursuant to 28 U.S.C. § 2255 passed roughly five years ago.